



## Alcohol and Tobacco Control State of Louisiana

### Civil Service Referee Sides with ATC Over Employee Termination



January 7, 2016

**Baton Rouge, La.** – A Louisiana State Civil Service Referee recently sided with Alcohol and Tobacco Control (ATC) Commissioner Troy Hebert that former ATC employee Jeffery McDonald, of Rayville, was fired before he was granted disability retirement.

McDonald was dismissed from his position as ATC Agent 3 by Commissioner Hebert on June 11, 2014 for the following reasons:

- Numerous Pornographic Content on ATC State-Issued Cell Phone
- Using a state-issued cell phone to send nude pictures of himself during work hours, including while attending an anti-human trafficking course
- Misuse of ATC Property
- Tampering with GPS Equipment on his state unit
- Insubordination
- Substandard Job Performance
- Working a Second Job while Getting Paid Sick Leave from ATC

*\*The dismissal letter detailing these and others are attached.*

After McDonald was notified that ATC was proposing to fire him for the above reasons, he filed for disability retirement to try and avoid being terminated.

McDonald argued to the Civil Service Referee that he filed for disability retirement benefits with the Louisiana State Employees' Retirement System (LASERS) prior to being dismissed by Commissioner Hebert. Civil Service Commission Referee Brent Frederick ruled that McDonald had not resigned his position at ATC prior to his dismissal becoming effective. LASERS later approved his disability retirement despite these issues.

**For more information, please contact:**

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